

REMARKS

This Response is submitted in reply to the Non-Final Office Action dated October 25, 2010. Claims 29-35 and 62 are pending in the present application. Claims 1-18, 21-28, and 41-60 stand previously canceled. Claims 19, 20, 36-40, 61, and 63 stand previously withdrawn. Claim 29 is in independent form. In this Response, Claim 29 is amended and Claim 64 is newly added. No new matter has been introduced as a result of the amendments. Favorable reconsideration is respectfully requested.

Rejections under 35 U.S.C. 103

The Office Action rejected Claims 29-31, 33-35, and 62 under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication No. 2004/0105641 to Lewis ("Lewis") in view of U.S. Patent No. 6,216,227 to Goldstein et al. ("Goldstein"). At least in view of the amendments, Applicants respectfully disagree with and traverse the rejection.

Claim 29 has been amended to recite, in part, "(k) causing the electronic ticket platform center to... (ii) delete or nullify the at least one of the plurality of electronic tickets from the first information storage chip in response to said at least one of the plurality of electronic tickets being assigned from the first information storage chip to the second information storage chip, wherein the first information storage chip is mounted on a first portable device and the second information storage chip is mounted on a second portable device separate from the first portable device." The amendment is fully supported by the specification. For example, see at least paragraphs [0119], [0273] and Figs. 40-41 of the published specification.

The Patent Office recognized that Lewis fails to teach claim element (k)(ii) as previously claimed and instead relied on Goldstein. Office Action, pages 9-10. In the Response to Arguments section, the Patent Office clarified that:

As now disclosed in the rejection, Goldstein teaches in col. 5, lines 38-45 that an applet stored on smart card 100 is able to keep data private and thus inaccessible to other stored applets. *This represents separate information storage chips.* In addition, Goldstein continues to disclose that "This prevents one applet from corrupting or examining tickets associated with a particular venue applet. In a present embodiment, however, tickets are cancelled or deactivated after being presented to validation device 106. In an alternative embodiment, individual tickets are deleted or overwritten." In this case, since each value for which a ticket has been stored on a smart card in accordance with a present embodiment of

the invention has an associated applet stored on the smart card, and also a shared ticketing applet is also stored for interfacing between the smart card and ticket/venue loading facilities and between the smart card and ticket validation devices as shown in col. 3, lines 8-23, it is obvious that a ticket is deleted or nullified as a result of the assignment of an electronic ticket from a first information storage chip to a second information storage chip since in Goldstein, tickets are cancelled or deactivated after being presented to a validation device, ***thereby suggesting that when presented to a validation device the electronic tickets are stored with a shared ticketing applet, from being originally stored with the associated applet.***

Office Action, pages 15 -16 (original emphasis removed, new emphasis added). Thus, as best understood, the Patent Office relied on one of Goldstein's associated applets to teach the "first information storage chip" and Goldstein's shared ticketing applet to teach the "second information storage chip." Even if, arguendo, Goldstein teaches using separate information storage chips to store the shared ticketing applet and the associated applet as the Office Action suggests, both the shared ticketing applet and the associated applet are on the same smart card 100. See, Goldstein, Fig. 2. On the other hand, Applicants claim "the first information storage chip is mounted on a first portable device and the second information storage chip is mounted on a second portable device separate from the first portable device."

Moreover, it would not have been obvious to mount Goldstein's shared ticketing applet on a separate portable device from the associated applet because the shared ticketing applet is necessary for the associated applet to interface with external devices. Goldstein, col. 4, lines 27-44. Thus, the shared ticketing applet must be in the same smart card 100 as the associated applet or Goldstein's smart card would be inoperative.

The Office Action rejected Claim 32 under 35 U.S.C. § 103(a) as being unpatentable over Lewis in view of Goldstein and further in view of U.S. Patent No. 6,067,532 to Gebb ("Gebb"). Applicants respectfully submit Gebb fails to cure the deficiencies of Lewis and Goldstein discussed above. Because Claims 32 is dependent on independent Claim 29, Applicants submit Claims 32 is patentable over the cited prior art for at least the same reasons discussed above, and for the additional patentable elements recited therein.

Accordingly, Applicants respectfully request the obviousness rejections of independent Claim 29, and the claims that depend thereon, be reconsidered and withdrawn.

New Claim

Applicants note that Claim 64 has been newly added and is fully supported by the specification. For example, see paragraph [0270] and Fig. 40 of the published specification.

Applicants respectfully submit that the subject matter as defined in the newly added claim is patentable over the cited art of record for at least the same reasons as discussed above, and for the additional patentable elements recited therein.

Conclusion

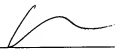
An earnest endeavor has been made to place this application in condition for formal allowance, and allowance is courteously solicited. If the Examiner has any questions regarding this Response, Applicants respectfully request the Examiner contact the undersigned.

The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing.

Respectfully submitted,

K&L GATES LLP

BY



Thomas C. Basso
Reg. No. 46,541
Customer. No. 29175
Phone: (312) 807-4310

Dated: January 21, 2011